

Response  
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### REMARKS

In response to the Official Communication dated July 9, 2004, Applicant submits the following remarks.

We respectfully submit that solicited Claims 1-27 are not anticipated by, nor obvious in light of, U.S. Patent No. 5,467,402 to Okuyama et al. We respectfully submit that reference Okuyama nowhere discloses, teaches, or suggests "receiving indication of a control zone type" as in the claimed invention.

The Examiner correctly notes that the Okuyama system displays motion video data representative of a field of view on a monitor. However, at no time does the user viewing the monitor (or the system) receive an indication of a control zone type. In fact, Okuyama does not disclose, teach, or suggest the use of different types of control zones at all.

First, we respectfully note that object type and control zone type are two different things. As discussed on page 5 of the Specification, examples of control zone types might be "tracking zones," "black-out zones," "exclusion zones," "entry zones," "privacy zones," etc. The control zone type defines actions that might be taken by the system based upon events that occur (irrespective of the type of object that is present).

For example, an "exclusion zone" may set regions within another zone in which the object tracking system will not originate a new track, but tracked objects may enter or exit. This may be used, for example, when a field of view contains trees, machinery, water, or other stationary reflective surfaces. However, the control zone type is not defined by the presence of any particular type of object, e.g., tree, water, etc., but by the nature of the control zone itself. This is clear from the Specification as originally filed.

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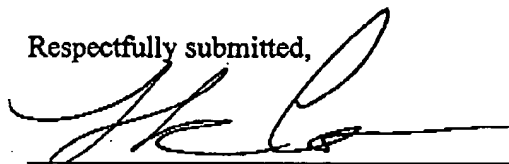
Thus, a user's recognition of an object on a monitor that falls within a control zone does not necessarily indicate anything about the type of control zone. Moreover, the user does not receive this information; he/she determines it internally.

We respectfully note that while the language of a claim must be given its broadest reasonable interpretation, this must be consistent with the application, the understanding of those skilled in the art, and its plain meaning. MPEP 2111 et seq. The difference between an object type itself and a control zone type within which an object falls is evident on its face, is well known to those of skill in the art, and is clear from the Specification.

Since all of the solicited claims contain this aspect of the invention, we respectfully request that the rejections under 35 USC 102(b) and 35 USC 103(a) be withdrawn in its entirety.

For the reasons set forth above, we respectfully submit that all of the solicited claims are in proper condition for allowance, which action is respectfully requested.

Respectfully submitted,



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